

PROB 12C
(7/93)

Report Date: November 8, 2011

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

NOV 14 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Cristobal Deleon Fernandez Case Number: 2:01CR06012-001

Address of Offender: Incarcerated at the Yakima County Jail, Yakima, WA

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 02/21/2002

Original Offense: Ct. 1. Conspiracy to Distribute Controlled Substance: Methamphetamine, 21 U.S.C. § 846
Ct. 2: Possession with Intent to Distribute a Controlled Substance, Methamphetamine and Aid/Abet Possession with Intent to Distribute a Controlled Substance, Methamphetamine, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 108 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk

Date Supervision Commenced: 05/08/2009

Defense Attorney: Diane E. Hehir

Date Supervision Expires: 05/07/2014

 PETITIONING THE COURT

To amend the petition requesting a warrant filed on August 24, 2011.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #2:</u> The defendant shall not commit another Federal, state, or local crime.
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Supporting Evidence: Cristobal Deleon Fernandez, a.k.a.: Aurelio Ayon Urvina, Jr., was arrested and charged with possession of a controlled substance, methamphetamine, in Snohomish County Superior Court, Snohomish, Washington, under cause number 11-1-01991-2, on August 12, 2011. He was convicted of the charge on October 18, 2011, and was sentenced to 4 months incarceration, and given credit for time served.

According to the police report, on August 12, 2011, officers received information from a reliable source that the defendant, using the alias, Aurelio A. Urvina, Jr., and his girlfriend were en route to a residence to deliver at least 1 pound of methamphetamine. The vehicle driven by the defendant was located and stopped by patrol units. Upon questioning, the defendant admitted he had a small amount of methamphetamine in his wallet for his personal use. Inside the defendant's wallet was a folded dollar bill, which contained an off white substance. It was field tested and returned positive for methamphetamine.

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Prior to a search of the defendant's vehicle, an officer deployed his K-9 on the vehicle, and the K-9 alerted to the presence of narcotics, however, officers were unable to locate any narcotics inside the vehicle. Officers did notice several natural voids in the vehicle where the K-9 alerted.

Information received from the U.S. Immigration and Customs Enforcement (ICE), indicates the defendant was previously deported to Mexico on May 8, 2009, at San Ysidro, California. ICE has also placed a detainer on the defendant in the above matters.

At the time of this report, it is unknown if the defendant will be charged with a new criminal offense of alien in U.S. after deportation.

The U.S. Probation Office respectfully recommends the Court amend the petition requesting a warrant filed on August 24, 2011. Mr. Fernandez was initially charged with a misdemeanor. He was later charged and convicted of a felony.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/08/2011

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☒ Amend the petition requesting a warrant filed on August 24, 2011, to include the information outlined above.



Signature of Judicial Officer

11/9/11
Date